

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

JUDY A. FOSTER,)	
)	
Plaintiff,)	
)	
vs.)	
)	No. 03:11-CV-01216
SPRING MEADOWS HEALTH)	
CARE CENTER LLC,)	Judge ASPEN
)	
Defendant.)	JURY DEMAND
)	

JOINT STATEMENT OF THE CASE

This is a case for wrongful termination under the federal civil rights statute and the federal Age Discrimination in Employment Act brought by the Plaintiff, Judy Foster. Ms. Foster is alleging that she was terminated from her employment with Defendant Spring Meadows Health Care Center because of her race and age. Spring Meadows denies that Ms. Foster's termination was in any way related to her race or her age.

Ms. Foster was terminated by Spring Meadows on October 28, 2009. Spring Meadows contends that Ms. Foster's termination was lawful and that she was terminated for a reason unrelated to her race or her age—namely, that while on shift as a Certified Nurse Assistant, she left Spring Meadows without permission to do so and abandoned her patient care. Specifically, Spring Meadows contends it terminated Plaintiff because it believed Ms. Foster intentionally left the facility without permission to do so and because abandonment of patient care is a serious violation of Spring Meadows policy. Ms. Foster contends that she left the facility believing she had permission to do so. Ms. Foster further alleges that one or more similarly situated younger white employees engaged in similar conduct but were not terminated.

Your job as jurors will be to listen to the testimony presented and to weigh the evidence to decide whether race or age motivated Ms. Foster's termination. If you determine that Judy Foster's termination was based upon her race or her age, your job will then be to decide the appropriate damages to award to Ms. Foster based on the evidence.

Respectfully submitted,

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